

**REMARKS**

The Office Action mailed on October 10, 2006 has been reviewed, along with the art cited. Claims 1-21 are pending in this application.

**Rejections Under 35 U.S.C. § 102**

Claims 1-7, 9-13, and 15-19 were rejected under 35 USC § 102(b) as being anticipated by Doyle et al. (U.S. Pub. No. WO 00/77480). Application respectfully traverses this rejection.

**Claim 1**

Applicant respectfully submits that Doyle does not disclose all the limitations of claim 1. Regarding claim 1, the Office Action dated 10/10/06 states that Doyle discloses “wherein the first resonator is operable to introduce a first phase shift into the first resonator signal the second resonator is operable to introduce a second phase shift, which is different from the first phase shift, into the second resonant signal ((Page 11, lines 1-31) and (Page 20, Lines 7-29) and (Page 13, Lines 16-31) and (Figures 1b, 2a, 2b, and 3) and (Page 14, Lines 1-4)).”

Specifically, Applicant submits that Doyle does not disclose the above quoted limitation. Doyle provides for a position sensor having a first and second resonator that each produce a signal. Doyle continues by stating that to distinguish between the two signals, the two resonant circuits are to be “driven at different respective resonant frequencies and for the processing circuitry to be adapted accordingly to divide the overall signal induced in the winding into the two separate resonant frequencies and then to compare the two signals”. Pg. 20, lines 24-28. Doyle, therefore, provides for two resonant circuits that produce signals of different frequencies. Doyle does not disclose that “the first resonator is operable to introduce a first *phase shift* into the first resonant signal and the second resonator is operable to introduce a second *phase shift*, which is

different from the first phase shift, into the second resonant signal". (emphasis added).

As a result, applicant respectfully requests that claim 1 be allowed.

Claims 2-7, 9-13, and 15-19 depend either directly or indirectly on claim 1 and, as a result, applicant respectfully requests that claims 2-7, 9-13, and 15-19 be allowed.

*Rejections Under 35 U.S.C. § 103*

Claim 20 was rejected under 35 USC § 103(a) as being unpatentable over Doyle et al. (U.S. Pub. No. WO 00/77480). Application respectfully traverses this rejection.

Claim 20

Claim 20 depends directly from claim 1 and, as a result, Applicant respectfully submits that Doyle does not teach or suggest all of the elements of claim 1 according to the argument with respect to claim 1. Applicant respectfully requests that claim 20 be allowed.

Claim 14

Claim 14 was rejected under 35 USC § 103(a) as being unpatentable over Doyle et al. (U.S. Pub. No. WO 00/77480) in view of Teodorescu (5,986,549). Application respectfully traverses this rejection.

Claim 14 depends directly from claim 1 and, as a result, Applicant respectfully submits that Doyle does not teach or suggest all of the elements of claim 1 according to the argument with respect to claim 1. Applicant respectfully requests that claim 14 be allowed.

*Allowable Subject Matter*

Application thanks the examiner for the indication that claim 8 is allowable. Claim 8 was objected to as being dependent upon a rejected base claim, but was indicated to be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims. According to the argument with respect to claim 1, Applicant respectfully requests that claim 8 be allowed.

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Title: POSITION SENSING APPARATUS AND METHOD

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**CONCLUSION**

Applicant respectfully submits that claims 1-21 are in condition for allowance and notification to that effect is earnestly requested. If necessary, please charge any additional fees or credit overpayments to Deposit Account No. 502432.

If the Examiner has any questions or concerns regarding this application, please contact the undersigned at the telephone number listed below.

Respectfully submitted,

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